OFFICE MEMO—CHICAGO
LEO BURNETT U.S.A.
ADVERTISING

July 10, 1980

TO: Mr. Neil Naroff - 12

cc: Mr. B. Engelbrecht - 12
Mr. P. Driggs - 12
Mr. P. Metz - 12
Mr. P. Volz - 12
Ms. C. Michelotti - 10

FROM: Bert Iwinski

RE: New Warning Statement Acetates - English Warnings

Upon examining the health warning box exhibit acetates which we received from Phillip Morris, the following comments will respond to American Brands evaluation.

We are in agreement with Mr. Hall's evaluation as to certain deficiencies in the acetates. There are some broken letters in the type and some of the ruled lines forming the boxes are ragged.

In comparing the acetates furnished by American Brands with the health warning boxes we have been using since April, 1978, we find the following differences:

A. Exhibit #1 (TV Guide Size) 10pt (Over 36 through 65 sq. inches) The type sizes agree except for word spacing. Ours have less word spacing which result in a box approximately 1/16" narrower. All other specifications relating to leading between lines and space between the type block and rules are correct and in accordance with FTC's document dated 1/11/72.

B. Exhibit #2 (Time Magazine Size) 12pt (Over 65 through 110 sq. inches) Here again we agree on type sizes, but due to slightly different letter spacing, our ruled box is about 1/32" narrower. The depth of the warning box we use has slightly less depth than the exhibit furnished. Ours has the proper 10pt space between type block and rules but the exhibit #2 furnished has more than the 10pts space required.

C. Exhibit #3 (Sunday Supplement Size) 14pt (Over 110 through 180 sq. inches) Again we agree on type sizes, but due to letter and word spacing differences, our box is about 1/32" wider. The depth of the box in the exhibit #3 acetate is about 1pt deeper than ours. The furnished exhibit #3 exceeds the required 12pts space between type block and rules.

D. Exhibit #4 (Tabloid Newspaper Size) 16pt (Over 180 through 360 sq. inches) We agree on type sizes, but due to differences in letter and word spacing, our box is about 3/16" wider. We agree on the 14pt space between the bottom of the type block and bottom rule, but the furnished exhibit #4 exceeds the 14pt space between the top of the type block and top rule. There is also more than the required leading between lines, resulting in a deeper box than ours.

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E. Exhibit #5 (Full Page Newspaper Size) 18pt (Over 360 through 480 sq. inches) We agree on type sizes, but due to differences in letter and word spacing our box is about 1/8" wider than exhibit #5 furnished. We do agree on the 16pt space below the bottom of the type block and bottom rule.

We don't agree on the depth of the box. The furnished exhibit #5 exceeds the 16pts space between the top of the type block and the rule, plus more than the required leading between lines, resulting in a box about 1/16" deeper than ours.

F. Exhibit #6 (Point of Sale Use) 24pt (Over 829 through 981 sq. inches) Here we are very close. The slight difference is in letter and word spacing plus ours has the exact leading required between lines and exhibit #6 furnished has more than required.

G. Exhibit #7 - We don't have a size to compare with.

We have no comparison for exhibits #1A and #2A. Philip Morris does not use a three line health warning box.

In examining these acetates we find that the ruled lines are ragged and broken in both exhibits. Also the letter "I" in the word "Is" seems to be a little higher than the base line of the other words.

New Warning Statement Acetates - Spanish Warnings

In examining all of the Spanish exhibits, we are in agreement with Mr. Hall's findings of ragged lines in the ruled borders and some broken letters.

We have no comparisons for exhibits #15A and #16A as we do not use a 3 line warning box in any Philip Morris ads.

In comparing exhibits #15 through #19 to ours, I find the following differences:

A. Exhibit #15 (TV Guide Size) 10pts (Over 36 through 65 sq. inches) The type sizes agree except for word spacing. The furnished exhibit #15 has greater word spacing thus making the overall width of the box approximately 1/8" wider than ours.

The thickness of the rules in the furnished exhibit are heavier than ours. They should be 1/4 point rules.

B. Exhibit #16 (Time Magazine Size) 12pt (Over 65 through 110 sq. inches) The type sizes agree except for a very slight variation in letter and word spacing. The furnished exhibit has about 1pt more space between the top of the type block and the top of the box. Also, the ruled border is heavier. It should be 1/2 pt rules, but appears to be 3/4pt rules.

C. Exhibit #17 (Sunday Supplement Size) 14pt (Over 110 through 180 sq. inches) The type sizes agree except for letter and word spacing. The size of the box is narrower than ours due to tighter spacing. It is slightly deeper than ours, due to exceeding the minimum space requirements between the type block and top and bottom rules. Thickness of the rules are correct.

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D. Exhibit #18 (Tabloid Newspaper Size) 16pt (Over 180 through 360 sq. inches)
The type sizes agree except for a difference in letter and word spacing. Ours is more condensed making our box approximately 1/8" narrower. The exhibit #18 acetate is also 5pts deeper than ours. This is due to more than the required minimum leading between lines, plus more than the 14pts space between the type block, above and below, and the top and bottom rules. Rule thickness looks Ok.

E. Exhibit #19 (Full Page Newspaper Size) 18pt (Over 360 through 480 sq. inches)
The type sizes agree except for a difference in letter and word spacing. Our spacing is more condensed, making the box approximately 1/8" narrower. The exhibit #19 acetate box is also approximately 3/32" deeper due to the more than required minimum leading between the type block, above and below, and the top and bottom rules. Rule thickness looks Ok.

Exhibits #20 through #25
We have no comparisons for these exhibits.

* It is our opinion that even though there are differences in the furnished warning box exhibits and ours, both are correct as they do meet the minimum requirements set by the FTC.

* If these exhibits reflect a new FTC Regulation and Size, we should have no difficulty adopting our present configurations to theirs.

The broken line exhibits ("working exhibits"?) on the other hand, seem to introduce new regulations as to the positioning of illustrations near the boxes. If this spacing regulation is enforced, careful consideration will have to be given to text and T&N-adjacency to the boxes to conform to what appears to be a new "Consent Judgement".

Has such and Order or Judgement been published by the FTC? Is a copy available for our review and study?

After you have reviewed the above outline and feel further discussion is in order, please let me know.

Bert Iwinski

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